Report of the Commissioners for Niagara Falls Park, 1885-1886.

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The Niagara Falls Park.

REPORT OF THE COMMISSIONERS, 18TH SEPTEMBER, 1885.

To the Honourable ARTHUR S. HARDY, Q. C., Secretary of the Province of Ontario.

Sir,—In compliance with the terms of the Act of the Ontario Legislature, 48 Victoria, entitled "An Act for the preservation of the Natural Scenery about Niagara Falls," authorizing the appointment of three Commissioners to be named "The Commissioners of the Niagara Falls Park," the undersigned beg to submit the following preliminary Report :—

The Government having selected Mr. Geo. R. Pattullo, of Woodstock, as Secretary of the Commission, he entered upon his duties on the 1st May.

The services of Mr. John McAree, P.L.S., having been placed at the disposal of the Commission by the Honourable the Commissioner of Crown Lands, he was directed to obtain plans of the lands to be surveyed from the Registry Office of the County of Welland, which, after careful examination by the Commission, were found to be very useful as reliable references, and he was directed to make the necessary survey under instructions, a copy of which accompanies this report.

Before referring specifically to the survey and map of the proposed park, the Commissioners desire to submit some of the reasons which prompted them to extend the limits of the survey to a point near the Railway Suspension Bridge. They were not aware at that time how far down the river the reservation on the south (U.S.) side of the river would extend. Entertaining the opinion that it would be exceedingly desirable to restore and protect the bank of the river all the way down even below the Railway Suspension Bridge, and as far as the grand and unique scene of the whirlpool, which could be done at a small cost, considering the space to be protected being limited to the reservation of that portion of the bank called the Government Reserve, they instructed Mr. McAree to continue the survey to that point. Having ascertained that the New York State Reservation would not at present extend below the Suspension Bridge for common traffic, your Commissioners directed the surveyor to complete the details of the survey only to the eastern side of the public road called "Ferry Road," next to the Clifton House, and from that point up the river according to instructions.

The survey is now completed, and a copy of the plan accompanies this report. All the lands, with the names of owners and tenants, are distinctly marked, with the area of each property, as well as the total area of what is recommended to be appropriated for the park.

The Commissioners, after having personally and carefully examined the ground, and after giving the subject of the reservation of a park their careful consideration, have laid down on the accompanying plan

a red line, showing the limits of the ground they would respectfully recommend as the land boundary of the park, the eastern and north-eastern boundary being the water on the Niagara River, including the Falls and extending to the upper limits of the Rapids. The area of land contained in the reservation recommended will be about 118 acres. The number of owners, as per accompanying schedule, giving the list of names and quantities, is 16 ; and the number of tenants and leaseholders is 11.

The object of the Act authorizing the appointment of this Commission being to secure free to the public the scenery in the vicinity of Niagara Falls, preserving as far as possible what still remains of the natural and original, and to endeavor to restore those portions of the ground on and near the bank of the river, within the limits surveyed, which have been denuded of trees, and are now occupied by a variety of buildings (most of them of inferior character and small value), to as near their natural condition as possible, by planting trees and otherwise, the Commissioners, appreciating the object of the Act, and with a desire to meet its requirements with the least possible financial outlay, have decided that by appropriating that portion of the ground between the river and the top of the bank, extending from the eastern boundary of the Ferry Road to the point near the head of the Rapids, as marked by the red line on the map, containing about 118 acres, the purposes of the act will be fully met. The brow of the bank is still for the most part covered with a good growth of timber, and hence preserves to a large extent its natural condition and appearance. The configuration of the bank is such as not to be of any special value either for cultivation or building purposes, but it affords a beautiful and natural boundary for the park.

Referring to clause 6 of the Act, which calls for a Report as to the plan, "Which in their opinion ought to be adopted for securing the permanent appropriation of the lands for the object hereinbefore mentioned," the Commissioners respectfully suggest that if the grounds recommended to be appropriated for a Public Park be approved as sufficient, they should be authorized to ascertain the value of the land so selected by such means as in their judgment would enable them to arrive at a fair and just value of each holding; that the same course be adopted as regards tenants, for the value of their rights, and to take all necessary steps as provided in Clause 10 of the Act. In the event of refusal by the owners or tenants of the sums offered by the Commission, recourse will have to be had to arbitration, as provided by the Act.

Under such conditions the Commissioners wish respectfully to submit that, in some of these cases, it may be necessary to secure the services of experts. The buildings, with the exception of those to which special reference is made, the Commissioners recommend to be removed.

There are three buildings on the property recommended to be appropriated for the public park, which the Commissioners recommend to be retained. One is a small, well-built lodge on the property to be taken from Mr. Bush ; another, known as the Museum, is also a substantial stone building ; third is a stone structure, the property and residence of Mr. Saul Davis. These buildings can be advantageously adapted for the residence of the superintendent of the park, policemen, guides and such other employees as may be required to protect the park and keep it in order.

With regard to the provision contained in clause No. 6 of the Act. which reads : "and for the improvement and preservation of the prop-

erty, and as to the mode in which the same should be managed in order to secure the enjoyment of the same as a public park, together with such other matters as the Commissioners may think fit," the Commissioners beg to report that, after giving all these provisions their best consideration, and with the view of harmonizing their action with that of the Commissioners of the "State Reservation" on the opposite side of the river, they would respectfully recommend that the possession of the property to be appropriated for the park, be retained by the Province of Ontario as the property of the Province, and that its management as a free park be also under Provincial control; that all the existing buildings thereon be removed, except the three named; that the machinery for the supply of water be also retained; that the road now on the verge of the bank of the river be moved further back from it; and that the ground within the boundary recommended be laid out and planted, not as a showy garden or fancy grounds, but as nearly as possible as they would be in their natural condition, reserving such points for the enjoyment of the views of the Falls and Rapids as on careful examination of the grounds may be found to be most suitable.

The Commissioners recommend that no hotels, refreshment rooms or booths, for the sale of refreshments or other articles, be allowed within the limits of the park. The ground occupied by the proposed park is not large, and is of a peculiar formation, being a long but narrow strip of land; whilst that in the vicinity, especially on the top of the bank immediately adjoining the boundary recommended for the park, is admirably adapted for building purposes, where hotels and houses of entertainment could be built, all within a very short distance of and convenient to the park.

The Commissioners, in suggesting that the Niagara Park should be the property of the Province, with its management under Provincial control, do not desire to be understood as recommending that the funds for the purchase of the properties and necessary work, be provided out of the Consolidated Revenue of the Province.

At this period of their labour, and until they have ascertained what sum of money will be required to accomplish the desired object, the Commissioners can only throw out a suggestion, in very general terms, as to the mode of providing such funds.

When reporting on the financial requirements, they will endeavour to submit a scheme for providing the necessary funds; they, however, have fair reason for entertaining the opinion that the scheme need entail no financial burden on the Province, but will become in the very early future self-sustaining.

The Commissioners observe that charges are made in the New York State reservation for the use of the inclined railway and for visiting the Cave of the Winds. That these charges are quite satisfactory is indicated by the largely increased number of visitors now daily attracted to the grounds.

The Commissioners have good ground to believe that views of the Great Cataract from the Canadian side are even superior to those in the United States, and that, following the example of our neighbors, equally reasonable charges for seeing and studying them could with like propriety be imposed. The revenue from these would do much toward

reimbursing the outlay necessary to secure the land and establish the park.

In submitting this, their preliminary report, the Commissioners are able only to make but a general allusion to what in their judgment will be required to make the Park, as it should be, as a part and parcel of the scenery belonging to the great cataract, so aptly termed by Mr. Carter, the orator of the day on the 15th of July last at the opening of the Free Niagara Reservation, "The Great Shrine to be visited, viewed and admired." They believe that the fitting time for entering into these details will be when they are in a position to state what will be the cost of the land recommended for the Park, the cost of removing the buildings that will not be required, the cost of enclosing the Park, which will be necessary, and the cost of such other works as the Commissioners may consider their duty to recommend to be carried out. They venture, however, to state their belief, which has been arrived at after giving the important subject their most earnest consideration, that no serious difficulties will be found in following the example of our United States neighbours; in acquiring the necessary land, and doing what may be found necessary to preserve the scenery as well as to restore it wherever possible, at an outlay which will be considered moderate in itself in comparison to the great boon of relieving the public from charges and impositions now suffered by all who visit the great falls. At the same time by imposing a very moderate, and indeed trifling charge for seeing points of special beauty and interest, which will require the service of guides and mechanical appliances, a revenue will be acquired which in a reasonable time may reimburse the outlay.

The Commissioners would request an early decision on the sufficiency of the land recommended by them for the Park, and when that is approved, for authority to ascertain the value as provided by clause 10 of the Act.

Accompanying are vouchers for the expenditure thus far incurred by the Commissioners.

All of which is respectfully submitted.

C. S. GZOWSKI, Chairman.
J. W. LANGMUIR,
J. G. MACDONALD,
Commissioners.
GEO. R. PATTULLO, Secretary

Office of the Niagara Falls Park Commission, Toronto, 18th Sept., 1885.

REPORT OF THE COMMISSIONERS, 7TH DECEMBER, 1885.

To the Honourable Arthur S. Hardy, Q.C.,
Secretary of the Province of Ontario.

Sir,—The Commissioners of the Niagara Falls Park in proceeding to have the lands surveyed and marked out as proposed and selected by their report of the eighteenth of September last, have come to the conclusion that a line slightly different from that proposed by them in that report should be adopted.

They therefore have caused such line to be surveyed and marked out on the ground in lieu of having surveyed and marked the line originally proposed.

The line so surveyed and marked on the ground is shown on the plan herewith submitted, by a bright red line, and by the field notes of the surveyor, Mr. John McAree, P.L.S., accompanying this report.

The Commissioners respectfully recommend the adoption of this report.

C. S. GZOWSKI, Chairman.

J. W. LANGMUIR,

J. G. MACDONALD,

Commissioners.

GEO. R. PATTULLO, Secretary

Office of the Niagara Falls Park Commission, Toronto, 7th December, 1885.

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COPY OF AN ORDER IN COUNCIL APPROVED BY HIS HONOUR THE LIEUTENANT-GOVERNOR, THE 14TH DAY OF DECEMBER, A.D., 1885.

His Honour the Lieutenant-Governor has had under consideration the report, dated 18th September last, of the Commissioners for Niagara Falls Park, appointed under the Niagara Falls Park Act, made by them as a preliminary to their selection and survey upon the ground of the lands to be set apart as a Park under the said Act, and also their report, dated 7th December, 1885, wherein they state, that upon proceeding to have the lands to be selected, surveyed and marked out, they came to the conclusion, that a line slightly different from that proposed in the said preliminary report, should be adopted, and that they have caused such line to be surveyed and marked out on the ground, in lieu of having the line originally proposed surveyed and marked out.

The Commissioners further report, that the line surveyed and marked out as aforesaid, is marked on the map certified by them, and which accompanies their report by a bright red line.

His Honour, upon the advice of the Executive Council, has been pleased to approve of the said selection of lands in the vicinity of Niagara Falls, made by the said Commissioners, and marked out and surveyed upon the ground as aforesaid, as being those lands, which in their opinion, are proper to be set apart for the purposes mentioned in the preamble of the said Act, and which said lands are shown on the said map, as bounded by a bright red line as aforesaid, and by the international boundary line on the Niagara River, and which said boundary line, so marked by a bright red line, is more particularly shewn by the survey of the ground by Mr. John McAree, P.L.S., and by his field notes, also accompanying the said report of 7th December, 1885.

His Honour further directs that a copy of the said field notes certified by the Clerk of the Executive Council of Ontario be filed with the said plan in the Registry Office of the County of Welland and in the office of the Commissioner of Crown Lands.

Certified.

J. LONSDALE CAPREOL,

Assistant Clerk Executive Council, Ontario.

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